S.B.CRIMINAL MISC. PETITION NO.596/2007
(Shivratan Vs. State of Raj.)

Date of order : : 03.05.2007

HON'BLE MR. KRISHAN KUMAR ACHARYA, J.

Mr.Manoj Bhandari, for the petitioner.

Heard learned counsel for the petitioner and gone through the orders impugned.

From perusal of the order dated 21.4.2007 passed by learned Additional Sessions Judge, it appears that accused Hanumana Ram was absconding and list of the property was called by the police from the office of UIT. Vide letter Exhibit-2 dated 12.8.2004, accused Hanumana Ram was shown as owner of the house in question. This house was transferred in the name of the petitioner on 19.8.2006.

The petitioner filed an application before the learned Additional Sessions Judge, Fast Track No.2, Bikaner that this property may not be attached. Learned Magistrate after considering the entire material on record kept the application

pending and passed the order regarding attachment of the property in question.

Learned counsel for the petitioner states that it was the requirement of law to have stayed the attachment and have decided the application and objection filed by the petitioner. Learned Additional Sessions Judge has not considered the matter in true perspective and passed the order of attachment.

I have considered the arguments advanced by learned counsel for the petitioner. I do not find any good ground to interfere with the order impugned passed by learned Additional Sessions Judge. However, it is ordered that learned Additional Sessions Judge after the property is being attached, shall decide the application and objections filed by the petitioner after recording the evidence expeditiously in accordance with the law,

With the aforesaid observations/directions this misc. petition stands disposed of.

(KRISHAN KUMAR ACHARYA), J.

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